

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY SP D.C.

05 JUN 13 AM 8:16

ROBERT R. DI TROLO  
CLERK, U.S. DIST. CT.  
W. D. OF TN JACKSON

MARVIN FORGUSON AND CRISTIE FORGUSON,

PLAINTIFFS

VERSUS

NUMBER: 1-05-1038-T/An

CALIFORNIA REO PROPERTY MANAGEMENT  
CORP., TOWN & COUNTRY REAL ESTATE  
COMPANY, INC., a/k/a TOWN & COMPANY  
REALTORS, LICENSED AND d/b/a TOWN &  
COUNTRY, INC., REALTORS GMAC, THE COACH  
APPROACH REALTY, LLC, d/b/a CRYE-LEIKE  
THE COACH APPROACH REALTY, LLC, JOYCE  
SHEARIN, KELLY SHEARIN, PAM FLEMING AND  
LARRY FLEMING,

DEFENDANTS

~~PROPOSED~~ RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1)): June 21, 2005

JOINING PARTIES:

PLAINTIFF: August 21, 2005

DEFENDANTS: September 21, 2005

AMENDING PLEADINGS:

PLAINTIFF: August 21, 2005

DEFENDANTS: September 21, 2005

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79 (a) FRCP on 06-13-05

**COMPLETING ALL DISCOVERY:** February 1, 2006

**REQUESTS FOR PRODUCTION, INTERROGATORIES  
AND REQUESTS FOR ADMISSIONS:** February 1, 2006

**EXPERT DISCLOSURE (Rule 26(a)(2)):**

**PLAINTIFF:** December 1, 2005

**DEFENDANTS:** December 15, 2005

**SUPPLEMENTATION OF EXPERT DISCLOSURE UNDER  
RULE 26 (e):** January 1, 2006

**DEPOSITIONS OF EXPERTS:** January 21, 2006

**FILING DISPOSITIVE MOTIONS:** February 1, 2006

**FINAL LIST OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**

**PLAINTIFF:** March 17, 2006

**DEFENDANT:** April 3, 2006

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 4 days and is set for Jury Trial on May 1, 2006, at 9:30 am. A joint pretrial order is due on April 21, 2006. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the Court at least ten days before trial.

**OTHER RELEVANT MATTERS:**

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for

filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59 and 60 shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all the parties, or an emergency arises which precludes the matter from proceeding to trial.

**The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.**

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

**IT IS SO ORDERED.**

  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

DATE: 

APPROVED:

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## Notice of Distribution

This notice confirms a copy of the document docketed as number 22 in case 1:05-CV-01038 was distributed by fax, mail, or direct printing on June 13, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT